

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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| JAY H. JOHNSON and UNITED TOWING SERVICE, LLC, |) | 2:16cv205 |
| |) | Electronic Filing |
| |) | |
| Plaintiffs, |) | Judge David Stewart Cercone |
| |) | Chief Magistrate Judge Maureen P. Kelly |
| v. |) | |
| |) | |
| BRIAN BRADFORD and THE BOROUGH OF BRADDOCK HILLS, PENNSYLVANIA, |) | |
| |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM ORDER

AND NOW, this 30th day of January, 2018, after a Motion for Summary Judgment was filed by Defendants Brian Bradford and the Borough of Braddock Hills, Pennsylvania (“Defendants”), and after a Response to the Motion for Summary Judgment was filed by Plaintiffs Jay H. Johnson and United Towing Service, LLC (“Plaintiffs”), and after a Reply was filed by Defendants, Chief Magistrate Judge Maureen P. Kelly filed a Report and Recommendation for granting the Motion for Summary Judgment. Upon consideration of the Objections filed by Plaintiffs and the Response thereto filed by Defendants, and upon independent review of the record, and upon consideration of the Magistrate Judge’s Report and Recommendation, which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that defendants’ Motion for Summary Judgment (ECF 31) is GRANTED. The Clerk of Court shall mark this case CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as

provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

s/ DAVID STEWART CERCONE

David Stewart Cercone

Senior United States District Judge

cc: Honorable Maureen P. Kelly
Chief United States Magistrate Judge
John E. Egers, Jr., Esquire
Mark R. Hamilton, Esquire
Jeffrey T. Criswell

(Via CM/ECF Electronic Mail)